

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KEYRON LAMONTE BINNS,

Plaintiff,

v.

AMERICAN GENERAL LIFE AND  
ACCIDENT INSURANCE CO., et al.,

Defendants.

No. 2:20-cv-01120-TLN-KJN

**ORDER**

Plaintiff Keyron Lamonte Binns (“Plaintiff”), a state prisoner proceeding *pro se*, brings this civil rights action under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 14, 2021, the magistrate judge filed findings and recommendations which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within 14 days. (ECF No. 42.) On August 13, 2021, after receiving an extension of time, Plaintiff filed objections to the findings and recommendations (ECF Nos. 45, 46), which have been considered by the court.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304(f), this Court has conducted a *de novo* review of this case. *See McDonnell Douglas Corp. v. Commodore Business Machines*, 656 F.2d 1309, 1313 (9th Cir. 1981), *cert. denied*, 455 U.S. 920 (1982); *see*

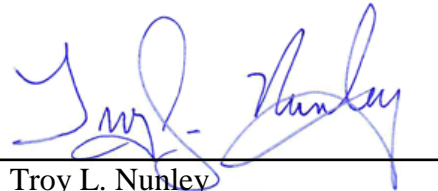
1 *also Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). Having reviewed the file under the  
2 applicable legal standards, the Court finds the findings and recommendations to be supported by  
3 the record and by the magistrate judge's analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Findings and Recommendations filed on July 14, 2021 (ECF No. 42), are ADOPTED  
6 IN FULL;
- 7 2. Defendants' Motion to Dismiss (ECF No. 29) is GRANTED;
- 8 3. Plaintiff's § 1983 claims are DISMISSED without leave to amend;
- 9 4. Plaintiff's state law claims are DISMISSED for lack of federal subject matter jurisdiction,  
10 and the Court otherwise declines to retain supplemental jurisdiction over these claims;
- 11 5. Plaintiff's Request for Joinder (ECF No. 17) and Request for Judicial Notice (ECF No.  
12 41) are DENIED as moot; and
- 13 6. The Clerk of Court is directed to close this case.

14 IT IS SO ORDERED.

15 Date: October 19, 2021

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19 Troy L. Nunley  
20 United States District Judge  
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